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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/381,497	02/17/2000	DAVID J. FITZGERALD	015280-317100US	4036
7590 01/16/2009				
JOHN STORELLA				
TOWNSEND AND TOWNSEND AND CREW				
TWO EMBARCADERO CENTER				
8TH FLOOR				
SAN FRANCISCO, CA 94111-3834				
EXAMINER				
NATARAJAN, MEERA				
ART UNIT		PAPER NUMBER		
1643				
MAIL DATE		DELIVERY MODE		
01/16/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

09/381,497

Applicant(s)

FITZGERALD ET AL.

Examiner

MEERA NATARAJAN

Art Unit

1643

All participants (applicant, applicant's representative, PTO personnel):

(1) Meera Natarajan.(3) Jean Lockyer.(2) Larry Helms.

(4) ____.

Date of Interview: 23 October 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: ____.

Claim(s) discussed: 57.

Identification of prior art discussed: Shen et al..

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Shen et al. was discussed in regards to the specific immunotoxin conjugated to the RFBdsFV. Applicant pointed out Shen et al. does not teach the PE38 immunotoxin and does not provide evidence for successful in vivo results. Applicant also discussed the surprising results of complete remission and the filed affidavit (05/12/2008). In regards to the surprising results, we would follow up with the attorney after meeting with quality assurance examiners..

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Larry R. Helms/
Supervisory Patent Examiner, Art Unit 1643